

Message Text

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ACTION AF-08

INFO OCT-01 EUR-12 NEA-10 ISO-00 CIAE-00 DODE-00 PM-04

H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

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FM AMEMBASSY NDJAMENA

TO SECSTATE WASHDC 3659

INFO AMEMBASSY BANGUI

AMEMBASSY NIAMEY

AMEMBASSY PARIS

AMEMBASSY TRIPOLI

AMEMBASSY YAOUNDE

LIMITED OFFICIAL USE NDJAMENA 1018

E.O. 11652: N/A

TAGS: PINS, CD

SUBJ: CONSPIRATORS OF 1976 GRENADE ATTACK ON PRESIDENT

SENTENCED; FOUR TO DIE.

REF: NDJAMENA 0988

1. FOLLOWING CONCLUSION TRIAL FORMER MINISTER INTERIOR BY SPECIAL COURT, 26 PERSONS ACCUSED OF CONSPIRACY IN THE APRIL 13, 1976 GRENADE ATTEMPT AGAINST PRESIDENT MALLOUM DURING FIRST ANNIVERSARY CELEBRATIONS OF MILITARY TAKEOVER WERE BROUGHT TO PUBLIC TRIAL BEFORE STATE SECURITY COURT. CONSPIRATORS WERE ALSO ACCUSED OF ASSASSINATION ATTEMPTS ON APRIL 28 AND MAY 8 OF 1976, ATTEMPTS WHICH WERE COMMON KNOWLEDGE N'DJAMENA (SEE 76 N'DJAMENA 1033) BUT NOT BELIEGED TO HAVE BEEN PREVIOUSLY PUBLICLY ACKNOWLEDGED BY GOC. TWELVE OF ACCUSED WERE ACQUITTED, ONE SENTENCED TO 5 YEARS IMPRISONMENT, NINE CON- DEMNED TO HARD LABOR FROM THREE YEARS TO LIFE, AND FOUR CONDEMNED TO DEATH. IN ADDITION, DAMAGES WERE AWARDED TO LIMITED OFFICIAL USE

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FAMILIES OF THOSE KILLED OR INJURED BY ATTACKS. NONE OF THE ACCUSED ARE KNOWN TO THE EMBASSY.

2. LAWYERS FOR DEFENSE REPRESENTED ACCUSED AS POOR PEOPLE WHO BECAME UNWITTING TOOLS OF FROLINAT. PROSECUTION STRESSED DEATH AND INJURY TO INNOCENT BYSTANDERS, AND TIMING OF ATTACK AT MOMENT WHEN PRESIDENT STRESSING NATIONAL RECONCILIATION.

3. IN SECOND TRIAL FOLLOWING ABOVE, ONE INDIVIDUAL ACCUSED OF ESPIONAGE AND FUND COLLECTING FOR FROLINAT WAS GIVEN LIFE AT HARD LABOR; A SECOND WHO HAD DEFECTED FROM THE REBELS, JOINED REBELS A SECOND TIME, AND WAS ARRESTED IN PROCESS OF SECOND DEFECTION, WAS GIVEN FIVE YEARS AT HARD LABOR. PROSECUTION HAD DEMANDED DEATH PENALTIES, BUT DEFENSE ARGUMENT THAT AS DEATH SENTENCES IMPOSED IN FIRST TRIAL, OBJECTIVE OF NATIONAL RECONCILIATION WOULD BE HARMED BY ADDITIONAL DEATH PENALTIES APPARENTLY ACCEPTED BY THE COURT.

4. COMMENT: ABOVE TWO TRIALS, PLUS THAT OF FORMER MINISTER INTERIOR (REFTEL), OBVIOUSLY TIMED PRECEDE SECOND ANNIVERSARY MILITARY COUP AND FIRST ANNIVERSARY GRENADE ATTACK ON PRESIDENT. WHILE DEATH PENALTIES UNDOUBTEDLY MEAN TO DISSUADE THOSE THINKING OF ATTEMPTING SIMILAR INITIATIVES THIS YEAR, THERE WAS CERTAIN MODERATION IN OTHER SENTENCES, WHICH COUPLED WITH PUBLIC NATURE OF TRIALS, UNDOUBTEDLY INTENDED TO SHOW EQUITABLE SYSTEM OF JUSTICE UNDER NEW REGIM. BRADFORD

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